IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:09ev341

UNITED STATES OF AMERICA,)
Plaintiff,)
Vs.	ORDER
\$32,820.00 IN UNITED STATES CURRENCY,	
Defendant.	

THIS MATTER is before the court on a pleading captioned "Notice of Correction." See Docket Entry #2. In such pleading, the government attempts to correct an error in the Complaint for Forfeiture in Rem (Docket Entry #1) by way of "Notice." The Federal Rules of Civil Procedure are applicable to civil forfeiture actions (see Rule G(1), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions), making Rule 15 govern amendment of pleadings. Inasmuch as no claim or answer has been filed, the government should simply file a First Amended Complaint for Forfeiture in Rem as allowed by Rule 15(a).

ORDER

IT IS, THEREFORE, ORDERED that pleading #2 is **STRICKEN** as non-compliant with Rule 15, Federal Rules of Civil Procedure.

Signed: August 31, 2009

Dennis L. Howell United States Magistrate Judge